



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

May 24, 2017

Certified Mail
7012 3460 0003 1112 9110

City of Loyalton
P.O. Box 128
Loyalton, CA 96118

TRANSMITTAL OF CITATION NO. 01-02-17(C)-012

Attn: Mark Marin, Mayor

The State Water Resources Control Board, Division of Drinking Water, has issued the City of Loyalton a citation, which is attached.

If you have any questions regarding this matter, please contact Stephen Rooklidge at (530) 224-2413.

A handwritten signature in black ink, reading "Michael J. McNamara".

Michael J. McNamara, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

Enclosures: Citation No. 01-02-17(C)-012

cc: Richard Hinrichs, P.E. Chief – Northern California Section, DDW, Redding
Sierra County Environmental Health Director

Sjr\4610001_Loyalton\File: Enforcement

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: City of Loyalton
P.O. Box 128
Loyalton, CA 96118

Attn: Mark Marin, Mayor

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTIONS 64424 - WATER SYSTEM NO. 4610001
C I T A T I O N N O . 01-02-17(C)012
Issued on May 24, 2017**

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the City of Loyalton (hereinafter, City), located in Loyalton, Sierra County for violation of California Code of Regulations (CCR), Title 22, Section 64421 subsection (a)(2).

1
2 **APPLICABLE AUTHORITIES**

3 **Section 116650 of California Health and Safety Code provides:**
4

5 (a) If the Division determines that a public water system is in violation of
6 this chapter or any regulation, permit, standard, citation, or order issued or adopted
7 thereunder, the Division may issue a citation to the public water system. The citation
8 shall be served upon the public water system personally or by certified mail. Service
9 shall be deemed effective as of the date of personal service or the date of receipt of
10 the certified mail. If a person to whom a citation is directed refuses to accept delivery
11 of the certified mail, the date of service shall be deemed to be the date of mailing.

12 (b) Each citation shall be in writing and shall describe the nature of the
13 violation or violations, including a reference to the statutory provision, standard, order,
14 citation, permit, or regulation alleged to have been violated.

15 (c) A citation may specify a date for elimination or correction of the
16 condition constituting the violation.

17 (d) A citation may include the assessment of a penalty as specified in
18 subdivision (e).

19 (e) The Division may assess a penalty in an amount not to exceed one
20 thousand dollars (\$1,000) per day for each day that a violation occurred, and for
21 each day that a violation continues to occur. A separate penalty may be assessed for
22 each violation.
23

24 **California Code of Regulations, Title 22, Section 64421, subsection (a)(2)**
25 **provides in relevant part:**

26 (a) Each water supplier shall:

(2) Collect routine, repeat, and replacement samples as required in Sections 64423, 64424, and 64425;

(3) Have all samples analyzed by laboratories approved to perform these analyses by the State Board and report results as required in Section 64423.1;

Table 64423-A
Minimum Number of Routine Total Coliform Samples

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month

STATEMENT OF FACTS

The City of Loyalton operates a water system that is located in Loyalton. There are 299 service connections that serve a full-time population of 856. The water system includes two wells that operate year round. The well sources are continuously chlorinated when in use.

The City submitted a Bacteriological Sample Siting Plan to the Division on April 2, 2008. The Bacteriological Sample Siting Plan specifies four rotating routine sample locations and repeat sample locations are identified for each routine location.

The City is required to collect one routine bacteriological water sample per month from their distribution system. In April 2017, the City did not collect a suitable sample from the distribution system. Two bacteriological samples were obtained from the raw water well sources in April 2017, but the routine distribution system sample was collected in incorrect sample bottles.

1 In May 2017, the City obtained one routine sample from their distribution system, in
2 accordance with Section 64424(d). This sample was absent for total coliform
3 bacteria.

4 5 DETERMINATION

6 The Division has determined that the City of Loyalton violated Section 64421 (a)(2),
7 Title 22 of the CCR, in that the City failed to collect a routine sample from their
8 distribution system in April 2017.

9 10 DIRECTIVES

11 The City is hereby directed to take the following actions:

- 12
- 13 1. Comply with Sections 64421, Title 22, of the CCR in all future monitoring
14 periods.
 - 15 2. Within 30 days of the issuance of this Citation, but in no case later than **June**
16 **15, 2017**, notify all persons served by the City of the reporting violation as
17 required by Section 64463.7, Title 22, of the CCR. Notification shall be
18 completed in accordance with each of the following:
 - 19 a. Direct delivery and publication of the violation in the annual Consumer
20 Confidence Report.
- 21 Changes and/or modifications to Attachment 'A' shall not be made unless
22 approved by the Division.
- 23 3. Complete and return Attachment 'B' entitled "Compliance Certification" by **June**
24 **30, 2017**. A copy of the notices used to provide public notification shall be
25 attached to the form.
- 26

1 All documents required by this Citation shall be submitted to the Division to the
2 following address:

3
4 Michael J. McNamara, P. E.
5 Lassen City Engineer
6 State Water Resources Control Board
7 Division of Drinking Water
8 364 Knollcrest Drive, Suite 101
9 Redding, CA 96002
10 (530) 224-4800
11

12 Nothing in this Citation relieves the City of its obligation to meet the requirements of
13 Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking
14 Water Act), or any regulation, permit, standard or order issued or adopted thereunder.
15

16 The Division reserves the right to make such modifications to this Citation, as it may
17 deem necessary to protect public health and safety. Such modifications may be
18 issued as amendments to this Citation and shall be effective upon issuance.
19

20 **PARTIES BOUND**

21 This Citation shall apply to and be binding upon the City, its officers, directors,
22 shareholders, agents, employees, contractors, successors, and assignees.
23

24 **SEVERABILITY**

25 The Directives of this Citation are severable, and the City shall comply with each and
26 every provision thereof, notwithstanding the effectiveness of any other provision.
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IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

*Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.*

**Monitoring Requirements not met for
City of Loyalton**

Our water system recently failed to monitor drinking water in accordance with the standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We collected a sample from the distribution system to test for the presence of coliform bacteria during April 2017. The sample was not collected in the proper sample container for laboratory analysis. No additional distribution system samples were collected in April 2017; however, two well samples were collected during April and no total coliform bacteria was detected.

What should I do?

There is nothing you need to do at this time.

The table below lists the contaminant we did not properly test for during the month of April 2017.

Contaminant	Required sampling frequency	When sample should have been taken	When sample was taken
Coliform Bacteria	Once per month	April, 2017	May 2017

For more information please contact:

Kathy LeBlanc (530) 993-6750

This notice is being provided to you by the City of Loyalton in compliance with the California Code of Regulations as a means of keeping the public informed.

COMPLIANCE CERTIFICATIONCitation Number: **01-02-17(C)-012**Name of Water System: **City of Loyalton**System Number: **4610001**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period of December 2015. In addition, I certify that the City of Loyalton complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Public Notification, as required by Directive 2	_____
_____	_____
Signature of Water System Representative	Date

Attach a copy of the direct delivery notice published in the CCR.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER
THAN JUNE 30, 2017**

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.